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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,705	02/01/2006	Akira Ichikawa	Q92872	8042
65565	7590	04/21/2008		
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EXAMINER				
KIM, EUNHEE				
ART UNIT		PAPER NUMBER		
2123				
MAIL DATE		DELIVERY MODE		
04/21/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/566,705

Applicant(s)

ICHIKAWA ET AL.

Examiner

Eunhee Kim

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/21/2008 has been entered.
2. The amendment filed 03/21/2008 has been received and considered. Claims 1-15 are presented for examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Vinciarelli et al. (US Patent No. 6,847,853).

As per claim 1, 3, and 5, Vinciarelli et al. teaches an automated design system for performing automated design of a product (Fig. 1-35B and the description) comprising:

design rule storage means for storing a design rule (Fig. 1-35B and the description),
automated design means for performing automated design using design requirement particulars with respect to a design of the product required by a customer or a designer, designer discretion particulars by discretion of the designer with respect to the design of the product, and

the design rule necessary with respect to the design of the product (Fig. 1-35B and the description),

determination rule input means for inputting a determination rule including a rule, which is to be satisfied by design of the product in the case of manufacturing the product, and comprises at least one parameter which is in addition to the design requirement particulars, the designer discretion particulars and the design rule (Fig. 1-35B and the description),

determination rule storage means for storing the determination rule (Fig. 1-35B and the description), and

design result determination means for determining whether a design result obtained by the automated design means satisfies the determination rule stored in the determination rule storage means (Fig. 1-35B and the description).

As per claim 2, 4, and 6, Vinciarelli et al. teaches determination result storage means for storing a determination result obtained by the design result determination means (Fig. 1-35B and the description), and

the design rule stored in the design rule storage means is updated by reflecting the determination result (Fig. 1-35B and the description).

As per claim 7, 8, and 9, Vinciarelli et al. teaches wherein the determination rule is based on at least one of technical condition or operational state and schedule rules of a producer, a factory, a line and equipment, component inventory cooperation rules, purchase component selection rules, environmental control-capable rules, and illegal export prevention rules (Fig. 1-35B and the description).

As per claim 10, 12, and 14, Vinciarelli et al. teaches wherein the at least one parameter is not addressed by the requirement particulars, the designer discretion particulars and the design rule (Fig. 1-35B and the description).

As per claim 11, 13, and 15, Vinciarelli et al. teaches wherein the requirement particulars, the designer discretion particulars and the design rule address a plurality of other parameters, each of which is not addressed by the at least one parameter of the determination rule (Fig. 1-35B and the description).

Response to Arguments

5. Applicant's arguments filed 03/21/2008 have been fully considered but they are not persuasive.

Examiner respectfully withdraws Claim Objection in view of the amendment and/or applicant's arguments.

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection, in view of Vinciarelli et al. (US Patent No. 6,847,853).

Conclusion

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eunhee Kim whose telephone number is 571-272-2164. The examiner can normally be reached on 8:30am-5:00pm Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eunhee Kim/

Examiner, Art Unit 2123

/Paul L Rodriguez/

Supervisory Patent Examiner, Art Unit 2123